

ORIGINAL

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

OCT 17 2019

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

at 9 o'clock and 37 min. AM
SUE BEITIA, CLERK LS

9:37 AM LS

UNITED STATES OF AMERICA,) MAG. NO. 19-1076 KSC
)
Plaintiff,) CRIMINAL COMPLAINT;
) AFFIDAVIT IN SUPPORT OF
v.) CRIMINAL COMPLAINT
)
WAYNE MILLER,)
)
Defendant.)
)
_____)

CRIMINAL COMPLAINT

I, the undersigned complainant, being duly sworn, state the following is true and correct to the best of my knowledge and belief.


Kidnapping
(18 U.S.C. § 1201(a)(1))

On or about October 17, 2017, within the District of Hawaii, WAYNE MILLER, the defendant, willfully and unlawfully seized, confined, kidnapped, abducted, and carried away S.L. for money, and used and caused to be used a means, facility, and instrumentality of interstate and foreign commerce, namely, a Ford Crown Victoria motor vehicle, in committing and in furtherance of the commission of the offense.

All in violation of Title 18, United States Code, Section 1201(a)(1).

I further state that I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives, and that this Complaint is based upon the facts set forth in the attached "Affidavit in Support of Criminal Complaint", which is incorporated herein by reference.

DATED: October 17, 2019, Honolulu, Hawaii.



Joseph Villagomez
Special Agent, ATF

Sworn to before me and
subscribed in my presence
this 17th day of October,
2019, at Honolulu, Hawaii



Honorable Kevin S. Chang
United States Magistrate Judge



AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

JOSEPH VILLAGOMEZ, after being duly sworn, deposes and states:

1. I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), and have been employed since 2014. I am currently assigned as the Violent Crime Coordinator with the ATF Honolulu Field Office, Honolulu, Hawaii. I am charged with the investigation and enforcement of violations of federal firearm laws and associated violations. I graduated magna cum laude with a Bachelor's of Science in Criminal Justice and obtained a Master's Degree in Public Administration and both degrees were conferred by the University of Guam. I am a graduate of the Federal Law Enforcement Training Center's Criminal Investigation Training Program and the ATF Special Agent Basic Training Program. I have attended numerous classes, seminars and training lectures in the investigation of criminal violations of federal laws. I have conducted multiple firearms-related investigations and obtained and executed both federal search and arrest warrants.

2. The information contained in this affidavit is based upon my personal knowledge and observations, my training and experience, as well as information obtained from other law enforcement officers and other witnesses. This affidavit is intended merely to show that there is probable cause for the requested arrest

warrant and does not set forth all of my knowledge about this matter, or convey all of the facts regarding the investigation.

3. Based on the facts as set forth in this affidavit, and based upon my training and experience, there is probable cause to believe that WAYNE MILLER, the defendant, committed a violation of Title 18, United States Code, Section 1201(a)(1) (kidnapping).

PROBABLE CAUSE

4. On October 17, 2017, a Honolulu Police Department (HPD) officer interviewed S.L. at a local hospital where S.L. was being treated for injuries related to a kidnapping. S.L. informed HPD that early that same day, S.L. was contacted by someone that claimed his name was James to assist with James's business and personal tax matters. S.L. agreed to meet James near the old Fisherman's Wharf, 1025 Ala Moana Boulevard. When S.L. arrived, two individuals showed S.L. oval colored law enforcement badges (gold in color), stated that they were law enforcement, and tried to handcuff S.L. S.L. hit the handcuffs and a struggle ensued. S.L. was punched and kicked multiple times and was forced into the back of an older model sedan. S.L.'s hands were bound behind his/her back and his/her face was covered with a thick bag. The two unknown individuals then drove S.L. around for hours, threatening to kill S.L. if S.L. did not give them money. After being kidnapped for hours, S.L. gave the unknown males his Visa check card. The

unknown males let S.L. go near his/her car a 1025 Ala Moana Blvd. When S.L. was released, the unknown individuals wrapped tape around his face covering S.L.'s eyes.


5. In August 2018, WAYNE MILLER, the defendant, was arrested on federal drug charges. MILLER was driving an older moldy Ford Crown Victoria before he was arrested. Open source information indicates that Ford Crown Victorias were never manufactured in the State of Hawaii. A search of that vehicle revealed, among other things, documents and cards with MILLER's name on it, multiple handguns, and multiple police badges (gold in color).

6. After MILLER's arrest, a cooperating individual (CI) was interviewed by agents and provided information that was consistent with that of S.L. and is further corroborated by items recovered from the Ford Crown Victoria (described above). The CI explained that around October 2017, the CI and MILLER lured S.L. to a parking lot near Kewalo boat harbor through the use of a prepaid cellular phone. Once there, the C.I. and MILLER approached S.L. and physically forced S.L. into MILLER's Ford Crown Victoria. When S.L. was in the car, the CI and MILLER handcuffed S.L., placed a bag over his head, and repeatedly assaulted S.L. The CI explained that he/she and MILLER, who the CI knew was in possession of a handgun, demanded money from S.L. over the course of several hours.

CONCLUSION

7. Based on the foregoing facts, I respectfully submit that probable cause exists to believe that WAYNE MILLER, the defendant, committed the aforementioned offense.

Respectfully submitted,



JOSEPH VILLAGOMEZ
Special Agent
Bureau of Alcohol, Tobacco, Firearms,
and Explosives

This Criminal Complaint and Affidavit in support thereof were presented to, approved by, and probable to believe that the defendant above-named committed the charged crimes found to exist by the undersigned Judicial Officer at Honolulu, Hawaii, on October 17, 2019.

Subscribed and Sworn to before me,
This 17th day of October, 2019.

KEVIN S.C. CHANG
United States Magistrate Judge
District of Hawaii

